

**UNITED STATES DISTRICT COURT**  
**District of Maine**

**PAUL F. DESCOTEAU,**

**Plaintiff**

**V.**

**UNITED STATES OF AMERICA,**

## Defendant

**Civil No. 08-144-P-S**

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on May 27, 2009, his Recommended Decision (Docket No. 28). Defendant filed its Objection to the Recommended Decision (Docket No. 32) on June 29, 2009. Plaintiff filed his Response to Defendant's Objection to the Recommended Decision (Docket No. 33) on July 14, 2009.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that Defendant's Motion for Summary Judgment (Docket No. 15) is **DENIED**.

/s/ George Z. Singal  
United States District Judge

Dated this 23rd day of July, 2009.